

## **REMARKS**

Claims 7-22 have been amended. Claims 1-40 are pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 102(e) and Section 103(a) Rejections:**

The Examiner's rejections of claims 1-40 under U.S.C. § 102 and 103 have been reversed by the Board of Patent Appeals.

### **Section 101 Rejection:**

Claims 7-22 are rejected under 35 U.S.C. § 101 as being directed to non-statutory matter. Specifically, the Board of Patent Appeals notes that the phrase "computer readable medium" is described in Applicant's specification to include both statutory matter (signals store on a tangible medium) and non-statutory matter (signals conveyed by a carrier medium) and that these claims are not limited to statutory matter.

Claims 7-22 have been amended to recite a computer readable storage medium storing program instructions computer executable to implement the functionality recited therein. This amendment is supported by Applicant's Specification in at least paragraphs [0034] and [0035], which describe various examples of tangible storage media on which the program instructions may be stored: "These agents may be implemented by program instructions stored in memory 105 and executed by processor 103. Memory 105 may include random access memory (RAM) such as DRAM, SDRAM, DDR DRAM, RDRAM, etc." "In some embodiments, all or some of the program instructions may be stored on one or more computer readable media (e.g., CD, DVD, hard disk, optical disk, tape device, floppy disk, etc.). In order to execute the instructions, the instructions may be loaded into system memory 105 (or into a memory included in one or more other network system components)."

For at least the reasons above, Applicant submits that the application is in condition for allowance.

## CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-10100/RCK.

Respectfully submitted,

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